

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America  
v.  
Dion Murphy

Case: 2:21-mj-30323  
Judge: Unassigned,

Filed: 07-01-2021 At 09:16 AM  
CMP USA V MURPHY (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 11, 2021 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*  
18 U.S.C. § 922(g)(1)

*Offense Description*  
Felon in possession of a firearm

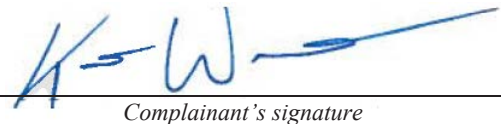
This criminal complaint is based on these facts:  
see attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: July 1, 2021

City and state: Detroit, Michigan

  
Complainant's signature

Kenton Weston, Special Agent (ATF)  
Printed name and title



Judge's signature

Hon. Curtis Ivy, Jr., United States Magistrate Judge  
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Kenton Weston, being first duly sworn, hereby state:

**INTRODUCTION**

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2018. I am currently assigned to the Detroit Field Division, Crime Gun Enforcement Team (CGET), where I am tasked with investigating violations of federal firearms laws. I have been involved in dozens of investigations involving violations of federal firearms laws, which have resulted in the seizure of hundreds of firearms. In addition, I have graduated from the Federal Law Enforcement Training Center and ATF Special Agent Basic Training.

2. This affidavit is made in support of an application for a criminal complaint for Dion MURPHY (DOB: XX/XX/1994).

3. I have probable cause to believe that MURPHY, who knew he was a convicted felon, knowingly possessed a firearm, which traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

4. I make this affidavit based on my participation in this investigation, witness interviews conducted by myself and other law

enforcement agents, reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

5. The information in this affidavit is for the limited purpose of establishing probable cause and does not contain all details or all facts relating to this investigation.

### **PROBABLE CAUSE**

6. On June 11, 2021 at approximately 10:27 p.m., Detroit Police Department (DPD) Officers Steven Anouti and Nicholas Rocha, along with ATF Special Agents Brett Brandon and I, were traveling in a DPD marked scout unit in the area of a Green Light special attention location. Specifically, while traveling east through the parking lot of a gas station, located in the Eastern District of Michigan, Officer Anouti observed an individual later identified as convicted felon MURPHY walking west. It appeared when MURPHY observed the scout unit he immediately turned away from the vehicle, quickly walked away, and out of sight from agents and officers. Immediately after, we drove towards MURPHY's last known location and observed MURPHY sprinting west through the blocked back

alleyway of the gas station. Additionally, I observed MURPHY wearing a solid white T-shirt and a black backpack with a grey reflector positioned over both shoulders. With lights activated, the scout unit traveled to the other end of the alleyway in the area of 14XXX Carlisle.

7. Immediately after, agents and officers exited the vehicle and pursued MURPHY. MURPHY was not immediately located, and a perimeter was set. Minutes later, MURPHY emerged from the area of 15XXX Carlisle without the previously observed backpack, his hands up, and was detained by DPD officers. While being detained and for public safety Officer Anouti asked MURPHY where he threw the gun. MURPHY denied any possession of a firearm.

8. While searching through the set perimeter for MURPHY's missing backpack. Officers observed at the residence located at 14XXX Carlisle, the area of MURPHY's last known location, laying on the ground, at the back of the residence's yard near the rear fence, a dark object which appeared to be a black bag. DPD Officer Curtis Wells observed the dark object, behind a trailer, traversed over the fence, and recovered a black backpack with a grey reflector. A search of the black backpack revealed an unregistered loaded silver and black Smith &

Wesson SW40VE .40 caliber pistol bearing serial number “RAW2234”. The backpack also contained two small scales, nine empty Backwoods cannabis storage bags, one Backwoods cannabis storage bag filled with marijuana, an empty cardboard box for an Assurance wireless phone, a charging cable, and a broken glass bottle.

9. I reviewed in-car footage of MURPHY who identified himself to the officers on the scene as “Dion MURPHY” with a date of birth of XX/XX/1994. The officers then ran a criminal history check and learned that MURPHY pled guilty to attempted felony weapons carrying a concealed weapon.

10. MURPHY was arrested for felon in possession of a firearm. While being transported to the Detroit Detention Center, an Assurance wireless phone was recovered from MURPHY’s pocket.

11. Later, I observed on Green Light footage MURPHY wearing a black backpack with a grey reflector (see Image 1 below), running westbound through the alley with a black backpack on his shoulders (see Image 2 below), and MURPHY running away from agents and officers eastbound through the alley without the black backpack on his shoulders,

and jump over a fence prior to officers and agents locating him (see Image 3 below).

IMAGE 1

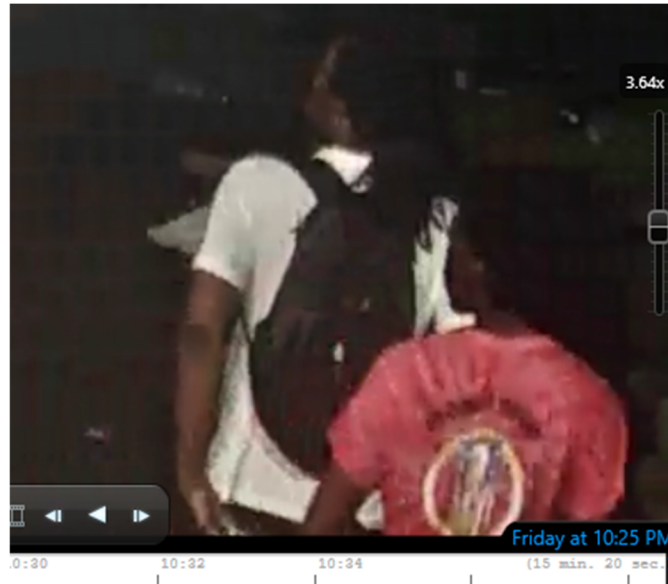


IMAGE 2



IMAGE 3



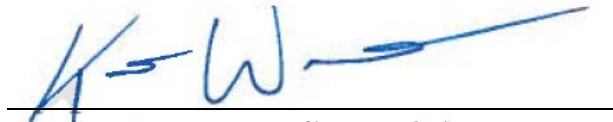
12. A search of the Law Enforcement Information Network (LEIN) revealed that MURPHY pled guilty to Felony Attempt Carrying Concealed in August 2019. Also, Murphy was charged in Michigan's 36<sup>th</sup> District Court with felony firearm possession by a felon and felony carrying concealed in August 2020.

13. On June 23, 2021, I contacted Special Agent Jimmie Pharr, an ATF Interstate Nexus Expert, and gave him a verbal description of the firearm. Based upon the verbal description, Special Agent Pharr advised that the firearm is a firearm as defined under 18 U.S.C. § 921 and was manufactured outside of the state of Michigan after 1898. Therefore, the weapon traveled in and affected interstate commerce.

## CONCLUSION

14. I respectfully submit that there is probable cause to believe that on June 11, 2021, within the Eastern District of Michigan, Dion Murphy, who knew he was a convicted felon, knowingly possessed a firearm, which had traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,



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Kenton Weston, Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Sworn to before me and signed in my  
presence and/or by reliable electronic means.



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Hon. Curtis Ivy, Jr.  
United States Magistrate Judge

Date: July 1, 2021